



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 30, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

38 October 30, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
EASEMENT ADJACENT TO A PORTION OF LATIGO CANYON ROAD
SOUTH OF OCEAN VIEW DRIVE
IN THE UNINCORPORATED COMMUNITY OF MALIBU
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement that was reserved for road and highway purposes adjacent to a portion of Latigo Canyon Road south of Ocean View Drive in the unincorporated community of Malibu that is no longer needed for public use. The vacation has been requested by the underlying property owner to clear the property's title of the easement.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for road and highway purposes adjacent to a portion of Latigo Canyon Road south of Ocean View Drive in the unincorporated community of Malibu has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the easement for road and highway purposes adjacent to a portion of Latigo Canyon Road south of Ocean View Drive in the unincorporated community of Malibu is excess and not required for street and highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the easement for road and highway purposes adjacent to a portion of Latigo Canyon Road south of Ocean View Drive in the unincorporated community of Malibu is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate an easement that was reserved for road and highway purposes, adjacent to a portion of Latigo Canyon Road south of Ocean View Drive (Easement) in the unincorporated community of Malibu, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,000 fee to defray the expenses of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 249 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The Easement was created when the County quitclaimed a parcel of property to a private party and reserved an easement for road and highway purposes. The Quitclaim Deed and easement reservation were recorded on June 23, 1976, as Instrument No. 3995, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, as an easement reservation for road and highway purposes.

Ms. Leslie Weller requested the vacation to clear the property's title of the easement and allow for an additional buildable area.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement and will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

10/30/2012

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
EASEMENT ADJACENT TO A PORTION OF LATIGO CANYON ROAD
SOUTH OF OCEAN VIEW DRIVE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of a street reservation of an easement for road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, adjacent to Latigo Canyon Road south of Ocean View Drive, is located in the unincorporated community of Malibu in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess and not required for street and highway purposes.
4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 30th day of October, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles



By

Julia Wasson
Deputy

By

[Signature]
Deputy

NS:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER RESOLUTION\LATIGO CYN RD RESOLUTION

EXHIBIT A

Project name: **STREET RESERVATION PORTION
OF LATIGO CANYON ROAD
SOUTH OF OCEAN VIEW DRIVE 1-1VAC**
A.I.N. 4461-010-026
T.G. 627-J5
I.M. 129-037
R.D. 336
S.D. 3
M0888106

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of street reservation easement):

That portion of Lot 121, of Tract No 9289, as shown on map recorded in Book 133, pages 70, 71, and 72, of Maps, in the office of the Registrar-Recorder/County Clerk in the County of Los Angeles, reserved for road and highway purposes in QUITCLAIM DEED recorded on June 23, 1976, as Instrument No. 3995, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 249± square feet.



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
Los Angeles County Department of Public Works	
Dated	SEPT. 13, 2012

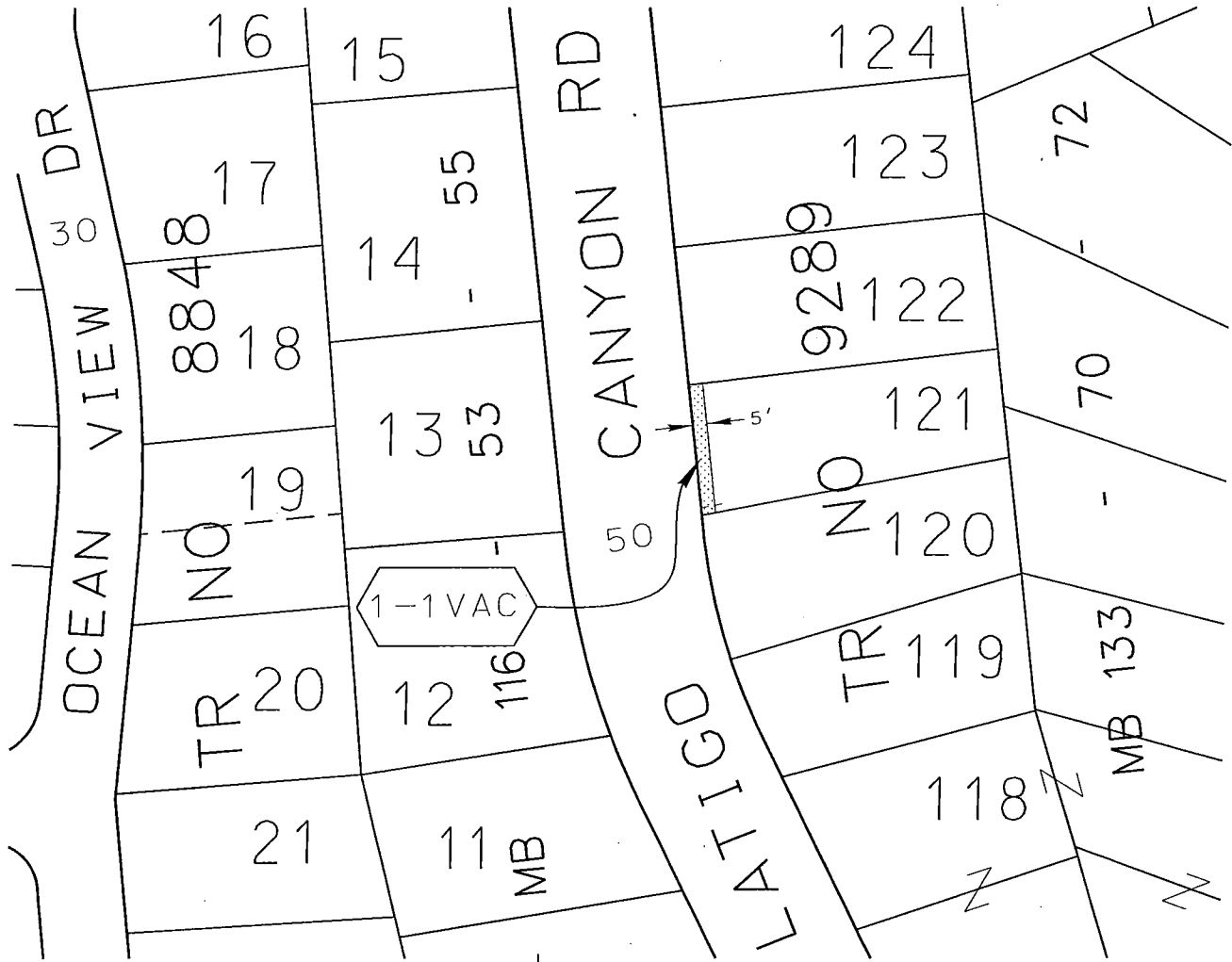
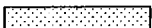


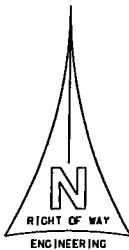
EXHIBIT B

LEGEND

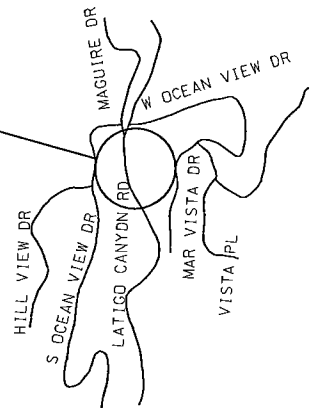
 Area to be vacated
(Street reservation
per Document No. 3995,
rec on June 23, 1976)

Total Area: 249± s.f.

ALL IN THE UNINCORPORATED
TERRITORY OF THE
COUNTY OF LOS ANGELES



SUBJECT
LOCATION



REVISIONS

1.

MAP PREPARED BY: N. SALAZAR

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.	RD.	A. I. N.	T. G.
3	336	4461-010-026	627-J5

SCALE	DATE	I. M.
NONE	08-15-12	129-037

LATIGO CANYON ROAD
(STREET RESERVATION)
SOUTH OF OCEAN VIEW DRIVE

DRAWING NO.
M0888106